

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMES LINDSEY #256676,

Plaintiff,

v.

RICK WERTANEN, et al.,

Defendants.

Case No. 2:16-CV-30

HON. GORDON J. QUIST

ORDER ADOPTING REPORT AND RECOMMENDATION

On April 27, 2018, Magistrate Judge Greeley issued a Report and Recommendation recommending that the Court grant Defendants' motion for summary judgment with regard to Plaintiff's retaliation, abuse of process, and defamation, libel and slander claims and deny it with regard to Plaintiff's Eighth Amendment and assault and battery claims. The Report and Recommendation was duly served on the parties on April 27, 2018. No objections have been filed pursuant to 28 U.S.C. § 636(b). Therefore the Court will adopt the Report and Recommendation.

Therefore,

IT IS HEREBY ORDERED that the April 27, 2018, Report and Recommendation (ECF No. 64) is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment (ECF No. 60) is **GRANTED IN PART AND DENIED IN PART**. Plaintiff's retaliation, abuse of process, and defamation, libel and slander claims are **dismissed with prejudice**. The case will continue on Plaintiff's Eighth Amendment and assault and battery claims.

Dated: May 16, 2018

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE